

DEC 07 2004

PATENT

Camela Gerik
Camela Gerik

PAGE 11/12 * RCVD AT 12/7/2004 2:55:11 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/10 * DNIS:8729306 * CSID:5127031250 * DURATION (mm-ss):06-54

4. In making the above disclaimer, Luminex Corporation does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent Nos. 6,649,414 and 6,268,222, as presently shortened by any terminal disclaimer, in the event that it later: (i) expires for failure to pay a maintenance fee, (ii) is held unenforceable, (iii) is found invalid by a court of competent jurisdiction, (iv) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, (v) has all claims canceled by a reexamination certificate, (vi) is reissued, or (vii) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

5. Luminex Corporation certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above.

6. The Commissioner is authorized to charge the Terminal Disclaimer fee under 37 CFR 1.20 (d) to deposit account number 50-3268/5868-03004.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under the United States Code, Title 18 § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: December 7, 2004

By:



Ann Marie McWhorter
Reg. No. 50,484
Agent of Record